

803 KAR 2:130. Informal conferences.

RELATES TO: KRS 338.101

STATUTORY AUTHORITY: KRS Chapter 13A

NECESSITY, FUNCTION, AND CONFORMITY: Pursuant to the authority granted the Kentucky Occupational Safety and Health Standards Board by KRS 338.051, the following administrative regulation is adopted, identifying the procedure to be followed in conducting informal conferences requested by the employer, employee or representative of employees.

Section 1. Informal Conferences. At the request of an affected employer, employee or representative of employees, the Division of Occupational Safety and Health Compliance may hold an informal conference for the purpose of discussing any issues raised by an inspection, citation, notice of proposed penalty, variance, or notice of intention to contest. The settlement of any issue at such conference shall be subject to the rules of procedure prescribed by the review commission. If the conference is requested by the employer, an affected employee or his representative shall be afforded an opportunity to participate at the discretion of the commissioner. If the conference is requested by an employee or representative of employees, the employer shall be afforded an opportunity to participate, at the discretion of the commissioner. Any party may be represented by counsel at such conference. No such conference or request for such conference shall operate as a stay of any fifteen (15) working-day period for filing a notice of intention to contest as prescribed in 803 KAR 2:140. (OSH 113; 1 Ky.R. 162; eff. 12-11-74; TAm eff. 8-9-2007; TAm eff. 9-8-2011.)